

**DECLARATION OF M. KEITH LIPSCOMB, ESQ.**

**I, M. KEITH LIPSCOMB, DO HEREBY DECLARE:**

1. I am over the age of eighteen (18) and otherwise competent to make this declaration.
2. The facts stated in this declaration are based upon my personal knowledge.
3. Prior to Malibu Media's practice of filing Exhibit C with its complaints, several opposing counsel accused Malibu Media of fabricating the evidence on Exhibit C and demanded the PCAPs, i.e. electronic records demonstrating the third party infringements.
4. At the time the decision to attach Exhibit C to the complaints was made, I discussed ways to avoid false allegations of fabrication with other counsel and Malibu Media.

**FURTHER DECLARANT SAYETH NAUGHT.**

**DECLARATION**

**PURSUANT TO 28 U.S.C. § 1746**, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 31<sup>th</sup> day of July, 2013.

**M. KEITH LIPSCOMB**

By: M. Keith Lipscomb